

**Authorizing The Continuation Of Agricultural District No. 2 –
Wallkill River – Towns Of Esopus, Gardiner, New Paltz, Plattekill,
Rosendale, Shawangunk and the Village of New Paltz –
Department Of Planning**

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Briggs and Legislators Allen, Archer, Bartels, Litts, Maio, and Maloney)

Chairman of the Economic Development, Tourism, Housing, Planning, and Transit Committee, Thomas J. Briggs, and Deputy Chairman James F. Maloney offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Planning; and

WHEREAS, NYS Department of Agriculture and Markets Law Section 303-a provides for the review of agricultural districts every 8, 12 or 20 years after their creation, the time period established upon its creation; and

WHEREAS, Agricultural District No. 2 was created on September 10, 1973 with an 8 year review schedule with its last anniversary date in 2006; and

WHEREAS, the Ulster County Legislature passed Resolution #187, adopted July 17, 2012, which postponed the latest review date from September 10, 2013 to July 21, 2015; and

WHEREAS, the New York State Department of Agriculture and Markets approved the postponement of the review to July 21, 2015 requiring a 300 day review period that began September 22, 2014; and

WHEREAS, consistent with Agriculture and Markets Law Section 303-a, Ulster County published notice of 30-day period for modifications of the District; and

WHEREAS, the Ulster County Agricultural and Farmland Protection Board (AFBP) has met to consider the continuation of the District and has adopted the required report that recommends the continuation of Agricultural District No. 2, with modifications; and

WHEREAS, Ulster County has met its responsibilities under Agriculture and Markets Law regarding notice, reporting and holding of a public hearing; and

WHEREAS, the Ulster County Legislature has considered the recommendations of the AFBP contained in its report to the Legislature dated February 27, 2015 as on file with the Clerk of the Legislature; and

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WHEREAS, there were no comments received at the public hearing held on March 17, 2015; and

WHEREAS, The Legislature, after circulation of the AFPB recommendations to affected landowners, received two (2) requests from individuals whose properties were recommended for removal from the District by the AFPB and has considered these requests; and

WHEREAS, in accordance with both the provisions of the State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA), and the County of Ulster’s SEQRA Type II List, adopted by Resolution No. 118 on April 20, 2010, the Ulster County Legislature has examined the proposed continuation of the District with proposed modifications and determined it to be an unlisted action; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby approves the continuation, with modifications, of Agricultural District No. 2 in the Towns of Esopus, Gardiner, New Paltz, Plattekill, Rosendale, Shawangunk and the Village of New Paltz in accordance with the recommendations of the AFPB as filed with the Clerk of Legislature, as Agricultural District No. 2 Wallkill River, Ulster County, with the next anniversary date of July 21, 2023 with the exception that the following properties remain within the District:

Owner	Town	S/B/L	Address	Acreage
Harold Ruddy	Gardiner	101.1-2-9	16 Millbrook Rd	4.01
Judy Clarke	Gardiner	94.3-3-16.102	4 Patentee Dr.	1.60
Judy Clarke	Gardiner	94.3-3-16.105	8 Patentee Dr.	1.10
Judy Clarke	Gardiner	94.3-3-16.108	16 Patentee Dr.	0.86
Judy Clarke	Gardiner	94.3-3-16.111	5 Sarah’s Way	1.10
Judy Clarke	Gardiner	94.3-3-16.115	12 Sarah’s Way	1.00
Steven Clarke	Gardiner	94.3-3-16.101	2 Patentee Dr.	1.10
Steven Clarke	Gardiner	94.3-3-16.104	6 Patentee Dr.	1.30
Steven Clarke	Gardiner	94.3-3-16.107	14 Patentee Dr.	0.86
Steven Clarke	Gardiner	94.3-3-16.110	20 Patentee Dr.	1.10
Steven Clarke	Gardiner	94.3-3-16.112	7 Sarah’s Way	1.20
Steven Clarke	Gardiner	94.3-3-16.114	11 Sarah’s Way	1.30
Steven Clarke	Gardiner	94.3-3-16.117	8 Sarah’s Way	1.10
Steven & Judy Clarke	Gardiner	94.3-3-16.103	2 Sarah’s Way	1.20
Steven & Judy Clarke	Gardiner	94.3-3-16.106	10 Patentee Dr.	1.10
Steven & Judy Clarke	Gardiner	94.3-3-16.109	18 Patentee Dr.	1.10
Steven & Judy Clarke	Gardiner	94.3-3-16.113	9 Sarah’s Way	2.10
Steven & Judy Clarke	Gardiner	94.3-3-16.116	10 Sarah’s Way	1.20
Steven & Judy Clarke	Gardiner	94.3-3-16.118	6 Sarah’s Way	1.00

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and, be it further

RESOLVED, that the Ulster County Legislature finds the continuation of the District with modifications, will result in no significant adverse environmental impacts and that a Negative Declaration is hereby adopted under State Environmental Quality Review Act, 6 NYCRR Part 617 (SEQRA); and, be in further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to submit this resolution, maps and reports as required to the Commissioner of New York State Department of Agriculture and Markets for consideration to determine if it is consistent with New York State environmental plan, policies and objectives and requesting certification of the modified District,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Wishnick)

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on April 7, 2015

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 21st Day of April in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23rd Day of April in the year Two Thousand and Fifteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
23rd Day of April, 2015.

Approved by the County Executive this
28th Day of April, 2015.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Michael P. Hein
Michael P. Hein, County Executive